

Appl. No. : 10/692,573
Filed : October 24, 2003

REMARKS

Double Patenting

Claims 1-20 have been rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-42 of U.S. Patent Publication 2005-0049387 A1 (issued as U.S. Patent No. 7,048,925 on 5/23/06) in view of U.S. Patent No. 6,379,966. Applicants respectfully disagree, but include herewith a terminal disclaimer to obviate this rejection. A terminal disclaimer submitted in this application is not an admission of the propriety of the rejection. *See M.P.E.P. § 804.02; see also Quad Environmental Technologies Corp. v. Union Sanitary District, 946 F.2d 870 (Fed. Cir. 1991)* (noting that “the filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither presumption nor estoppel on the merits of the rejection.”).

Conclusion

Applicants respectfully submit that this application is in condition for allowance, early notification of which would be appreciated. The Examiner is respectfully invited to contact the undersigned with any questions regarding this application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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AMEND

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